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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,679	03/30/2004	Tonia G. Morris	1000-0044	4044

7590 10/02/2006  
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EXAMINER

GELIN, JEAN ALLAND

ART UNIT PAPER NUMBER

2617

DATE MAILED: 10/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/812,679

**Applicant(s)**

MORRIS ET AL.

**Examiner**

Jean A. Gelin

**Art Unit**

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-21 and 46-49 are rejected under 35 U.S.C. 102(e) as being anticipated by De Vries (US 6,968,179).

Regarding to claim 1, De Vries teaches a wireless device (i.e., illustrated in fig. 1, items 120-123) comprising: a user interface (i.e., components of items 120-123 are shown in fig. 6); a controller to control operation of said wireless device (processing unit, e.g., microcontroller, col. 12, line 43), said controller being in communication with said user interface to accept input from a user and to deliver output to said user (processing unit of fig. 6, col. 12, lines 40-64); and a wireless transceiver (within cell 120 or handheld computer 122) to support wireless communication with at least one remote wireless entity (within the wireless networking, col. 4, line 60 to col. 5, line 21); wherein said controller is programmed to append context-specific information to a network search query to be delivered to a remote search engine via said wireless transceiver when said user is performing a network search (col. 6, lines 4-67 and col. 8, lines 6-67).

Regarding to claims 2, 13, 47, De Vries teaches at least one sensor for sensing context-specific information in an environment about said wireless device (col. 7, lines 22-32).

Regarding to claims 3, 12, De Vries teaches said context-specific information includes at least one of the following: a physical location of said wireless device, a present time at said wireless device, a temperature about said wireless device, a velocity of said wireless device, atmospheric pressure about said wireless device, biometric information regarding a user of said wireless device, ambient light about said wireless device, ambient noise level about said wireless device, a sound profile about said wireless device, an image of an environment about said wireless device, a chemical analysis of an environment about said wireless device, a personal profile of a user of said wireless device, schedule information associated with a user of said wireless device, and calendar information associated with a user of said wireless device (cols. 8-10).

Regarding to claim 4, De Vries teaches said user interface includes at least one of the following: a display, a keypad, a keyboard, a touch screen, a stylus, a mouse, scroll buttons, a track ball, a joystick, and control buttons (col. 12, lines 40-65).

Regarding to claim 5, De Vries teaches said controller is programmed to (a) receive search results from said remote search engine, via said wireless transceiver, in response to said network search query, said search results including an indication of which elements of context-specific information that were appended to said network

search query were used to perform the network search, and (b) display said search results to a user (col. 5, line 56 to col. 6, line 53).

Regarding to claim 6, De Vries teaches said controller is programmed to (a) receive a selection of context-specific information types from said user, via said user interface, indicating which context-specific information said user desires to be used to perform a network search, and (b) deliver said selection of context-specific information types to said remote search engine, via said wireless transceiver, for use in another network search (cols. 6-8).

Regarding to claim 7, De Vries teaches said wireless device is a cellular telephone (fig. 1, 120).

Regarding to claim 8, De Vries teaches said wireless device is a personal digital assistant with wireless networking capability (fig. 1, 122).

Regarding to claim 9, De Vries teaches said wireless device is a portable computer with wireless networking capability (fig. 1, 121).

Regarding to claim 10, De Vries teaches said network search includes an Internet search (col. 13, lines 56-67).

Regarding to claims 11, 46, De Vries teaches detecting initiation of a network search within a wireless device (col. 8, lines 6-26); collecting context-specific information regarding said wireless device (col. 7, lines 13-32); and appending context-specific information to a search query to be delivered to a remote search engine (col. 7, line 13 to col. 8, line 39).

Regarding to claim 14, De Vries teaches collecting context-specific information regarding said wireless device includes determining which of a plurality of available inputs (i.e., sensors) are presently working properly and polling only said sensors that are presently working properly for context-specific information (col. 12, lines 40-64).

Regarding to claims 15-18, De Vries teaches collecting context-specific information regarding said wireless device is performed before detecting initiation of a network search (i.e., typically, the communication device at least temporarily stores the request prior to transmission, col. 5, line 56 to col. 6, line 53).

Regarding to claims 19-21, and 48-49, De Vries teaches receiving search results from said remote search engine, via said wireless transceiver, in response to said search query, said search results including an indication of context-specific information elements that were used to perform said network search (cols. 7-9).

3. Claims 33-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Darrell (US 2005/0162523).

Regarding claim 33, Darrell teaches using a camera on a wireless device to capture at least one image of a surrounding environment (i.e., taking an image of the picture and sending it to the server [0027]; identifying text within said at least one image (identifying Killian Court, [0027]; and displaying said text to a user of said wireless device to allow said user to select one or more words or phrases within said text for use in generating a network search query for delivery to a remote search engine (displaying search result and finding the name Killian Court, [0027], [0028], and [0031]).

Regarding claims 34-42, they contain limitations that perform the same function as the claimed invention of Darrell. Therefore, claims 34-42 are anticipated by Darrell, read Darrell, paragraphs [0006][0031].

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 22-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over De Vries in view of Darrell et al. (US 2005/0162523).

Regarding claims 22-24, De Vries does not specifically teach using a camera on a wireless device to capture at least one image of a surrounding environment; identifying text within said at least one image; and allowing said user to select one or more words or phrases within said identified text for use in a search query.

However, the preceding limitation is known in the art of communications. Darrell teaches a mobile device includes a camera to capture image associated with hyperlink and to communicate wirelessly the image with an existing database to find similar images. The user can take picture of his surrounding and use the picture to search an image database for relevant web resources. The user can also uses keywords to find additional similar images (paragraphs [0006]-[0008], [0027]-[0028], and [0031]-[0032]). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of

the invention, to implement the technique of Darrell within the system of De Vries in order to provide a hybrid image-and-keyword searching technique that would allow users to efficiently search hundreds of millions of images that are not only textually related but also visually relevant.

Regarding claim 25, De Vries in view of Darrell teaches all the limitations. Darrell further teaches said at least one image captured by said camera includes multiple relatively low resolution images (thumbnail size image is low resolution [0028]); and said controller has access to an image scanning function to process said multiple relatively low resolution images captured by said camera to generate a higher resolution image (i.e., mobile has the capacity to produce high resolution image with the built-in camera 640x480 resolution [0028]).

Regarding claim 26, De Vries in view of Darrell teaches all the limitations. Darrell further teaches said controller has access to a segmentation function to segment text within said at least one image captured by said camera into individual words ([0031]).

Regarding claim 27, De Vries in view of Darrell teaches all the limitations. Darrell further teaches said controller has access to an optical character recognition function to translate text within said at least one image into machine recognizable character codes ([0031]-[0033]).

Regarding claims 28-29, the claims are recited the limitations of claims 25-27. Therefore, they are rejected for the same reasons set forth in the rejection of claims 25-27.



Regarding claims 30-32, De Vries in view of Darrell teaches all the limitations. Darrell further teaches said controller is programmed to display said text to said user in menu form, and in highlighted form as part of an image captured by said camera ([0028] and [0031]-[0033]).

6. Claims 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over De Vries in view of Amano et al. (US 2002/0142737).

Regarding claim 43, De Vries teaches all the limitation as recited in claim 1 above. But De Vries does not specifically teach a wireless device comprising at least one dipole antenna.

However, the preceding limitation is known in the art of communications. Amano teaches in viewer-type cellular phone incorporating a camera, it is necessary to enhance the gain as measured in a horizontal plane of the viewer by implementing a dipole antenna in the mobile communication terminal (paragraph [0073]). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to implement the technique of Amano within the system of De Vries in order to reduce the length of the antenna and allow the antenna to be hidden in the radio package.

Regarding claim 44, De Vries in view of Amano teaches all the limitations above. De Vries further teaches at least one sensor for sensing context-specific information in an environment about said wireless device (col. 7, lines 22-32).

Regarding claim 45, De Vries in view of Amano teaches all the limitations above. De Vries further teaches at least one of the following: a display, a keypad, a keyboard, a

touch screen, a stylus, a mouse, scroll buttons, a track ball, a joystick, and control buttons (col. 12, lines 40-65).

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fan et al.	US 5,959,577	09/28/1999
Mojsilovic et al.	US 2006/0143176	06/29/2006
Lim et al.	US 2006/0133321	06/22/06
Brown et al.	US 20020171673	11/21/2002

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A. Gelin whose telephone number is (571) 272-7842. The examiner can normally be reached on 9:30 AM to 7:00 PM.

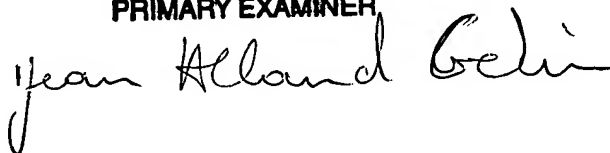
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JGelin  
September 27, 2006

**JEAN GELIN**  
**PRIMARY EXAMINER**

A handwritten signature in black ink that reads "Jean Allard Gelin". The signature is written in a cursive, flowing style.